



One Hundred First Legislature - First Session - 2009
Introducer's Statement of Intent
LB 415

Chairperson: Russ Karpisek
Committee: General Affairs
Date of Hearing: March 2, 2009

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Legislative Bill 415 would make it unlawful to sell cigarettes or other tobacco products from a self-service display, decreasing the chance that these products will get in the hands of minors. In addition, it defines self-service display to prohibit only those displays providing tobacco products that are openly accessible to consumers at retail without the assistance of the owner, operator, or employee.

Penalty for violating the bill would mirror the penalty currently in Section 28-1429.02 prohibiting the dispensing of cigarettes or other tobacco products from a vending machine. First conviction, is a Class III misdemeanor; second conviction, adds on a six-month suspension of the offender's license to sell tobacco; and third and subsequent offenses shall be a permanent revocation of such license.

LB 415 has two exemptions to the self-service display prohibition of tobacco products. The first exemption is if the self-service display is located in a tobacco specialty store that derives at least 75 percent of its revenue from the sale of cigarettes and other tobacco products. Secondly, the self-service display is exempt if it is a vending machine permitted under the current Section 28-1429.02.

Principal Introducer: _____
Senator Mark Christensen